

DEPARTMENT OF HEALTH & HUMAN SERVICES
Centers for Medicare & Medicaid Services
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Office of the Attorney Advisor

Re: Select Medical 2003-06 New Hospital Capital Related Cost Group, PRRB Decision
No. 2010-D2 (10/15/2009) (FYEs Various)

Pursuant to 42 CFR 405.1875(c)(3)(iii), I recommend that the Administrator, Centers for Medicare & Medicaid Services, decline to review the decision entered by the Provider Reimbursement Review Board in this case.

/s/
Jacqueline R. Vaughn
Attorney Advisor

APPROVED:

Date: 11/13/09

/s/
Michelle Snyder
Acting Deputy Administrator
Centers for Medicare & Medicaid Services